

X is N or CH;



is a cyclic 5-10 membered cyclic ring which

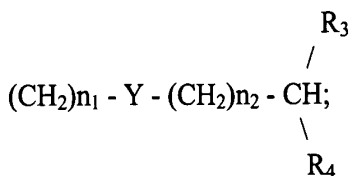
is saturated and which may contain 1 or 2 additional ring heteroatoms selected from the group

consisting of O, S and N, with the remaining ring atoms being carbon atoms;

R_1 is $(CH_2)_n-Z-(R_5)$, Q, hydrogen or lower alkyl;

R_2 is hydrogen or Q' ;

Q and Q' may be the same or different and are independently



Z is a chemical bond, CH₂, O, S or NH;

Y is CH₂, O, S or NH;

R₃, R₄, and R₅ are independently cyclic rings containing 6-14 ring carbon

atoms, and containing no hetero ring atoms, which cyclic rings may be completely saturated, partially unsaturated or aromatic, and which are unsubstituted or substituted with an electron donating group or electron withdrawing group;

R₃ and R₄ may be fused to form a cyclic ring structure containing 12-28 carbon atoms;

R_6 , R_{10} and R_{11} are independently hydrogen or lower alkyl, which is unsubstituted or substituted with an electron withdrawing group or electron donating group;

Amend

sub
39
once

n_2 is 0-8; and

n and m are independently 1-8, provided that either R_1 is Q or R_2 is Q'.

A2

10. (Amended) The compound according to Claim 7 wherein R_3 and R_4 are independently aromatic rings.

A3

20. (Amended) The compound according to Claim 17 wherein R_3 and R_4 are independently aromatic.

Please add Claims 52-59 as follows:

52. (New) The compound according to Claim 1 wherein X is CH.

53. (New) The compound according to Claim 1 wherein X is N.

54. (New) The pharmaceutical composition according to Claim 41 wherein

X is CH.

A4

55. (New) The pharmaceutical composition according to Claim 41 wherein

X is N.

56. (New) The method according to Claim 42 wherein X is CH.

57. (New) The method according to Claim 42 wherein X is N.

58. (New) The method according to Claim 47 wherein X is CH.

59. (New) The method according to Claim 47 wherein X is N.

REMARKS

The Office Action has alleged, without rationale, that Claims 1-51 are generic to a plurality of patentably distinct species, and has requested applicants, under 35 U.S.C. §121 to elect a disclose species. In addition, the Office Action has withdrawn from consideration, pursuant to 37 C.F.R. §1.142(b), Claims 17-39, as being drawn to non-elected species. However, the Office Action alleges that this is not a restriction requirement, but is